

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket Number 15144US02

In re Application of:)	
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Arun Rao)	Electronically Filed
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Serial No.: 10/725,771)	
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Filing Date: 12/02/2003)	
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Examiner: Colucci, Michael C.)	
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Confirmation No.: 3834)	
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Art Unit No. 2626)	
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PRE-APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This response is filed in response to the Office Action mailed 9/29/2009.

REMARKS

Claims 20-32 are presently pending and stand rejected. Each of the foregoing claims stands rejected under 35 U.S.C. 103(a) as obvious from the combination of Araki in view of Kodama. Pre-appeal review is respectfully requested.

Claim 20 recites:

A system for decoding an audio signal, said system comprising:
one or more audio decoding circuits for performing one or more functions on a frame of encoded audio data, wherein the one or more audio decoding circuits comprise:
a Huffman decoder for Huffman decoding the frame of encoded audio data;
a prediction decoder for prediction decoding the frame of encoded audio data; and
an intensity coupling circuit for intensity coupling the frame of encoded audio data
a memory for storing results of the Huffman decoding of the frame of encoded audio data, the results of the prediction decoding of the encoded audio frame, and the results of intensity coupling the frame of encoded audio data, wherein the results of the prediction decoding for the frame of encoded audio data at least partially overwrite the results of the Huffman decoding of the frame of encoded audio data, and wherein the results of the intensity coupling for the frame of encoded audio data at least partially overwrite the results of the prediction decoding of the frame of encoded audio data.

Claim 1 recites, among other limitations, “a memory for storing results of the Huffman decoding of the frame of encoded audio data, the results of the prediction decoding of the encoded audio frame, and the results of intensity coupling the frame of encoded audio data, wherein the results of the prediction decoding for the frame of encoded audio data at least partially overwrite the results of the Huffman decoding of the frame of encoded audio data, and wherein the results of the intensity coupling for the frame of encoded audio data at least partially overwrite the results of the prediction decoding of the frame of encoded audio data.”

Examiner appears to have construed the foregoing limitation as merely partially overwriting data. Office Action at 4. To support this construction, Specification 0093 is cited.

Assignee respectfully traverses and submits that although Examiner is entitled to give claims their broadest reasonable construction, the foregoing claim construction is unreasonable. First, it is noted that the foregoing construction ignores clearly recited terms in the limitation.

It is noted that the claimed limitation unambiguously recites:

(1) the results of the prediction decoding for the frame of encoded audio data at least partially overwrite the results of the Huffman decoding of the frame of encoded audio data, and

(2) wherein the results of the intensity coupling for the frame of encoded audio data at least partially overwrite the results of the prediction decoding of the frame of encoded audio data.

Additionally, Examiner appears to only interpret the claim limitations, based on paragraph 0093. However, the specification includes numerous examples, including Tables 1-8, and paragraphs 0043-0083.

Although Examiner delves into specific examples of partial overwriting in the references, none of the examples teach what is specifically claimed.

CONCLUSION

For at least the foregoing reasons, Assignee respectfully submits that each of the pending claims are allowable and Examiner is respectfully requested to pass this case to issuance. The Commissioner is hereby authorized to charge additional fees or credit overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: January 29, 2010

Respectfully submitted,



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